# GOVERNMENT OF INDIA
# LAW , JUSTICE AND COMPANY AFFAIRS
# LOK SABHA

UNSTARRED QUESTION NO:4626
ANSWERED ON:23.08.2001
ARBITRATORS
JASWANT SINGH BISHNOI

**Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:**

(a) the procedure for appointment of arbitrators by the Government;

(b) the number of persons appointed as arbitrators in the department of company affairs during the last three years;

(c) whether the Government have appointed one person or group of persons as arbitrators for more than one term, and;

(d) if so, the reasons therefor ?

## Answer

MINISTER OF LAW, JUSTICE, COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) A Permanent Machinery of Arbitrators has been set up in the Department of Public Enterprises to settle all commercial disputes between PSEs interse and between a PSE and a Government Department excluding disputes of income tax, customs and exciseAn Officer of the rank of Joint Secretary & Legal Adviser belonging to the Indian Legal Service is appointed as Arbitrator to settle disputes under that scheme. Such appointment is not made for a fixed period. As regards the disputes between the Government/Government Departments and private parties, in certain Departments such as CPWD and DGS&D, a general provisior for Arbitration by a single Arbitrator in their conditions of contract has been made. In DGS&D, two Officers of the rank of Director belonging to Indian Legal Service are appointed as Arbitrators.In CPWD, the Arbitrator is appointed on deputation basis for a fixed term. That apart, in terms of arbitration clause in the contracts, the Arbitrators are appointed by the designated Officer of the Department in the arbitration clause.

(b) No Arbitrator has been appointed in the Department of Company Affairs during the last three years.

(c) & {d} Information is being collected and will be laid on the table of the House.